

Message

From: Stacey.VanBelleghem@lw.com [Stacey.VanBelleghem@lw.com]
Sent: 5/3/2022 9:51:59 PM
To: Coghlan, Andrew (ENRD) [Andrew.Coghlan@usdoj.gov]
CC: Philip.Perry@lw.com
Subject: [EXTERNAL] CBD v. EPA (20cv555)

Andy,

Below is additional information on Bayer's submissions and discussions with EPA.

On April 29, 2022, Bayer submitted to EPA a compilation of information explaining the scientific and factual basis in support of Bayer's proposal to amend its current dicamba pesticide registration—XtendiMax® With VaporGrip® Technology (264-1210)—with label restrictions for applications in counties with endangered or threatened species, which Bayer submitted on March 18, 2022 following several months of discussion with EPA.

Later this week or early next week Bayer will be submitting a summary and analysis of multiple studies, including 11 studies conducted by independent academics in the 2021 growing season, six studies conducted by Bayer in the 2021 growing season and submitted to EPA on March 18, 2022, and three studies previously provided to EPA, on the efficacy of hooded sprayer technology in reducing off-target movement of dicamba.

Additionally, Bayer has initiated dialogue with EPA regarding potential label amendments in advance of the 2023 season and beyond for non-ESA counties.

As you may know, the 2022 growing season is ongoing and applications on soybeans are occurring and will continue until the label cut-off date—June 30 for most states, June 20 in Iowa, and June 12 south of I-94 in Minnesota. Given the state of the season, there is not sufficient time for soybean growers to substitute crop-protection tools at this time. And in the current year, given potential global food supply crisis caused by the war in Ukraine and other supply chain issues, these dicamba formulations are an even more critical component of supporting healthy soybean yields.

We would be happy to connect at any time if there is additional information we can provide.

Best,
Stacey

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